

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47787 of 2022

Arising Out of PS. Case No.-132 Year-2020 Thana- SURYAPURA District- Rohtas

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Krishna Kumar Son of Sardar Baitha R/V- Kalyani, P.S- Suryapura, Dist-
Rohtas Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Adv.
For the Opposite Party/s : Mr. Narsingh Tanti, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
S.Tr.No. 246 of 2021, arising out of Surajpura P.S. Case No. 132
of 2020, lodged under Sections 304(B)/34 of the Indian Penal
Code read with Sections 3/4 of Dowry Prohibition Act.

As per the prosecution case, the informant has alleged
that marriage of his sister was solemnized with petitioner on
28.06.2018. It has been alleged that as per his capacity he has
gifted each and every article to them whose names are described
in the F.I.R. Even then there was dowry demand and allegation
of assault. It has also been alleged that a *panchayati* also took
place. It has been specifically mentioned that on 08.09.2020 at
about 9 a.m. the informant received information that his sister
was ill then informant reached there and found that treatment of
his sister was going on in Karuna Hospital, Vikramganj and
during treatment she died. With this allegation the F.I.R. has

been lodged that her death is a result of murder by the petitioner and his family members.

Learned counsel for the petitioner submits that from the F.I.R. itself, it transpires that the petitioner's side immediately went to the hospital and informed the informant that treatment of deceased was going on and during treatment she died. Learned counsel also submits that charge-sheet has already been filed in this case on 24.03.2022 and trial has commenced being Sessions Trial No. 246 of 2021.

Learned A.P.P. for the State opposes the prayer for bail and submits that it is a case of dowry death and petitioner is husband.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner and therefore his bail petition is hereby rejected. Trial Court is directed to expedite the trial as early as possible, preferably within 9 months.

The petitioner is at liberty to move for bail application, thereafter.

(Dr. Anshuman, J)

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